

**Mayor Marylee Abrams' Second Statement and Determination
Regarding Conducting Meetings by Telephone or Other Electronic Means**

As the Mayor of the City of Maplewood, Minnesota I find as follows:


- a. The spread of COVID-19 in the United States and Minnesota has raised serious public health concerns and resulted in a great deal of uncertainty. Much remains unknown about the virus, how it spreads and the likely extent of infection.
- b. On March 11, 2020, the World Health Organization determined that the COVID-19 outbreak constitutes a pandemic. On March 13, 2020, President Trump declared a national state of emergency as a result of the pandemic. On March 13, 2020, Governor Tim Walz issued Emergency Executive Order 20-01 declaring a state of peacetime emergency to address the COVID-19 pandemic in Minnesota.
- c. On March 16, 2020, I declared a local state of emergency, which has been extended by the City Council and is in place today, due to the health pandemic caused by COVID-19.
- d. On March 16, 2020, I determined that it was not prudent or practical to hold in-person meetings due to the existence of a health pandemic and declared emergency, and that it was not feasible for members of the public, city staff, and members of the council to be present at the regular meeting location.
- e. Many of the conditions that resulted in it not being prudent or practical to holding in-person or interactive television meetings still exist today, but it is now feasible to have some members of the council, staff, and members of the public attend meetings in person because of changes to the Governor's executive orders on indoor meetings and face coverings (Executive Order 20-81), the seating arrangements on the dais, changes to airflow and HVAC systems, and technology upgrades in the Council Chambers to allow for hybrid meetings, and overflow viewing for members of the visiting public to extend capacity into the lobby area.
- f. City staff have presented options for the City Council to begin having meetings which have some participants physically present at the regular meeting location.
- g. Minnesota Statutes, section 13D.021 authorizes cities to meet by telephone or other electronic means if the presiding officer, chief legal counsel, or chief administrative officer determines that meeting in person or by interactive television is not practical or prudent because of the existence of a declared health pandemic or emergency. I have consulted with the city manager and city attorney in making this determination.

Based on the above findings, I determine as follows:

1. Until November 8, 2020, all meetings of City bodies governed by Minnesota Statutes, Chapter 13D, including but not limited to City Council meetings, and meetings of all boards, committees, and commissions of the City, shall be conducted by telephone or other electronic means as it is not prudent or practical due to the ongoing health pandemic and declared emergency to hold meetings in-person or via interactive television under Minnesota Statutes, section 13D.02.

2. Prior to any meeting of a City body governed by Minnesota Statutes, Chapter 13D allowing any participant to be physically present in the regular meeting location, the City's COVID-19 Preparedness Plan must be updated to include safety procedures and protocols required under Executive Order and the related and relevant state agency guidance.
3. After November 8, 2020, and once the City's COVID-19 Preparedness Plan has been updated to include the required safety procedures and protocols, it shall be feasible to have city staff and members of City bodies governed by Minnesota Statutes, Chapter 13D, present in the regular meeting location, and feasible for members of the public to be physically present for certain portions of meetings, including public hearings. Members of the public will still be able to view live or recorded video of any meetings and participate via remote means.
4. City staff, members of the City body, and members of the public shall not be required to physically attend any meeting in person and participation via telephone or electronic means will be provided.
5. All such meetings must comply with the requirements in Minnesota Statutes, Section 13D.021.
6. My March 16, 2020 Statement and Determination Regarding Conducting Meetings by Telephone or Other Electronic Means is hereby rescinded and replaced with this Second Statement and Determination.

Dated: October 14, 2020.


Marylee Abrams, Mayor
City of Maplewood, Minnesota